



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI  
**COMMON COUNCIL MEETING**  
**TUESDAY, OCTOBER 3, 2023 AT 6:30 P.M.**  
Port Washington City Hall, 100 W. Grand Avenue, Port Washington, WI 53074

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**MINUTES**

1. **ROLL CALL-** Mayor Ted Neitzke convened the meeting of the Common Council at 6:30 p.m. Members present were Alderpersons Deborah Postl, Paul Neumyer, Mike Gasper, Dan Benning, Jonathan Pleitner, Patrick Tearney, and John Sigwart. Also present were City Administrator Anthony Brown, City Clerk Susan Westerbeke, City Attorney Eric Eberhardt, ACA/HR Director Emily Blakeslee, and Planning and Development Director Bob Harris.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG-** The Pledge of Allegiance was recited.
3. **CONSENT AGENDA**
  - A. **Approve Minutes of Previous Meeting**  
MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion carried unanimously.
4. **MAYOR'S BUSINESS**
  - A. **Mayor's Updates**
    1. **Award Recognition for Senior Center (Edison, Bell, Einstein Invention Award for 2023)-** Mayor Neitzke congratulated the Senior Center and Program Manager Catherine Kiener for their recent award at the Wisconsin Association of Senior Centers for the July 2023 Pop-Up Music Event. Ms. Kiener was present to report on the award ceremony.
    2. **Recognition for Paint on Port Event and Port Main Street-** The Mayor spoke about the program. Eileen Grace was present to report on the project, which included five murals completed in 2023. 2024 projects include a plaque at each mural and a student mural wall on Jackson Street near the Police Department. The student mural wall will feature elementary through high school artists from community schools.

The Mayor reviewed the recruitment process for the City Administrator position.
5. **OFFICERS/STAFF REPORT-** None.
6. **PUBLIC COMMENTS/APPEARANCES-** Kendel Feilen commented about the title of alderpersons in the Municipal Code.
7. **FROM STANDING COUNCIL COMMITTEES**
  - A. **GENERAL GOVERNMENT AND FINANCE COMMITTEE**
    1. **Consideration and Possible Action on Original Class "B" Beer License for Mercantile Merch LLC d/b/a Mercantile Plaza (211 N. Franklin Street)-** The City Clerk presented the information related to the Original Class "B" Beer License for Mercantile Merch LLC d/b/a Mercantile Plaza located at 211 N. Franklin Street, located in the Boerner Building in the former ZuZu Pedals store. Julia Christiansen is the Agent. General Government and Finance Committee recommended approval of the license. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO RECOMMEND APPROVAL OF THE ORIGINAL CLASS "B" BEER LICENSE FOR MERCANTILE MERCH LLC AND JULIA CHRISTIANSEN AS AGENT FOR THE 2023-2024 LICENSING YEAR AS PRESENTED. Motion carried unanimously.
    2. **Presentation and Possible Action on a Report on Financing 2023 and 2024 General Capital Improvement Projects-** Finance Director-Treasurer Mark Emanuelson was present

to report on the need for financing and bond issues. Carol Wirth from Wisconsin Public Finance Professionals, LLC was present to review the financing of the 2023-2024 General Fund Capital Improvement Projects (CIP) through the issuance of \$6,000,000 in General Obligation (G.O.) Notes.

**3. Consideration and Possible Action on a Municipal Advisory Agreement with Wisconsin Public Finance Professionals, LLC for Issuance of \$6,000,000 of General Obligation Promissory Notes-** Ms. Wirth of Wisconsin Public Finance Professionals, LLC, reviewed an engagement letter to serve as the City's municipal advisor for the issuance of \$6,000,000 of General Obligation Promissory Notes. The letter identifies the duties which the municipal advisor carries out during this transaction. General Government and Finance Committee recommended approval of the agreement. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO APPROVE THE MUNICIPAL ADVISORY AGREEMENT WITH WISCONSIN PUBLIC FINANCE PROFESSIONALS, LLC FOR THE ISSUANCE OF \$6,000,000 G.O. NOTES AS PRESENTED. Motion carried unanimously.

#### **B. PERSONNEL COMMITTEE**

**1. Consideration and Possible Action on Grade Changes for Finance Director, Management Analyst, and Police Department Executive Assistant Positions-** The ACA/HR Director reviewed the information related to the grade changes under consideration. Two of the positions were vacant during the 2022 GovHR Classification and Compensation Analysis (Finance Director and Management Analyst), and one required realignment following that same study (Police Department Executive Assistant). The adjusted classifications will place the Finance Director at Grade 11, Management Analyst at Grade 4, and Police Department Executive Assistant at Grade 5 and there is no fiscal impact. The Personnel Committee recommended approval of the Grade Changes. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO ACCEPT STAFF RECOMMENDATIONS AS PRESENTED. Motion carried unanimously.

### **8. FROM CITY BOARDS/COMMISSIONS**

#### **A. PLAN COMMISSION**

**1. Consideration and Possible Action on a Declaration of Surplus Land for 39.4 Acres of City-Owned Land Located on the South Side of W. Grand Avenue (STH 33), West of Laura Lane and East of Jackson Road; City of Port Washington, Applicant-** Director of Planning and Development Bob Harris reviewed information regarding the Subject land. Since 2000, the land has been city owned. Development plans never reached fruition as part of the sanitary sewer jurisdiction for this property was located in the Village of Saukville. In 2021, the City amended its comprehensive plan by updating its future land use map and designated the Property as "small lot traditional residential". In 2022, the City and Saukville reached an agreement to amend the sanitary sewer map to transfer sewer jurisdiction to the city. This amendment was formally approved by the DNR in early 2023. The City has received two proposals from a recent RFP for development and is currently exploring these submittals for a future housing development. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. TEARNEY THAT THE SUBJECT PROPERTY IS SURPLUS PROPERTY, WHICH IS NOT NEEDED FOR ANY PUBLIC PURPOSE AND RECOMMEND THAT THE PROPERTY BE SOLD OR OTHERWISE DISPOSED OF FOR THE PUBLIC GOOD BY REASON OF SUPPORTING THE FUTURE LAND USE RECOMMENDATIONS OF THE CITY OF PORT WASHINGTON COMPREHENSIVE PLAN AND INCREASE THE HOUSING SUPPLY AS PRESENTED. Motion carried unanimously.

**2. Consideration and Possible Action on a Proposed Condominium Plat as a Part of the Maritime Industrial Condos Development Located at the Northwest Corner of S. Park Street and Maritime Drive in the Port Washington Industrial Park; Maritime Sheds**

**LLC, Applicant-** The Director of Planning and Development reviewed the development which is located on a vacant five acre parcel in the Port Washington industrial park and will consist of up to 23 individually owned businesses and light manufacturing spaces contained within ten single-story light industrial buildings. The planned development zoning for the project was approved by Council via Ordinance 2022-17. A Building, Site and Operations Plan (BSOP) was conditionally approved by Plan Commission at its March 2023 meeting. The Developer's Agreement for the project was conditionally approved by Council in June 2023. The approved condominium plat was a required component of the agreement. A condominium plat is required for the project because the project will consist of individually owned buildings and spaces in a condominium ownership format. The conditionally approved developer's agreement requires an approved condominium plat as part of that agreement document. A condominium plat was required for a similar development, the Port Washington Business Barns, located on Schmitz Drive. MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. SIGWART TO APPROVE THE CONDOMINIUM PLAT AS PRESENTED. Motion carried unanimously.

**9. UNFINISHED BUSINESS-** None.

**10. NEW BUSINESS-** None.

**11. PUBLIC COMMENTS/APPEARANCES-** None.

**12. CONVENE INTO CLOSES SESSION - per Wis Stat § 19.85(1)(e), i.e., deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically for purposes of discussing and formulating negotiating strategies including, without limitation, the terms and conditions for development of all or part of the approximately 39-acre parcel of City-owned vacant land, commonly known as the former Schanen Farm, located along the south side of STH 33 approximately one-quarter mile west of CTH LL (Tax Parcel No. 16-030-15-002-00).**- The Mayor read the closed session item. MOTION BY ALD. POSTL, SECONDED BY ALD. BENNING TO CONVENE INTO CLOSED SESSION FOR THE REASONS STATED ON THE AGENDA AT 7:08 P.M. ROLL CALL VOTE TAKEN. AYE: POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY, SIGWART. Motion carried unanimously.

**13. CONVENE INTO CLOSED SESSION - in closed session per Wis. Stat. § 19.85(1)(e) for purposes of deliberating or negotiating the purchase of public property, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to-wit: discuss preliminary discussions with landowner, and financial and other terms and conditions of potential Option to Purchase vacant parcel of land, and devising bargaining strategies regarding the terms and conditions of such purchase (Tax Parcel No. 16-030-13-017-00).**- The Mayor read the closed session item. MOTION BY ALD. POSTL, SECONDED BY ALD. BENNING TO CONVENE INTO CLOSED SESSION FOR THE REASONS STATED ON THE AGENDA AT 7:08 P.M. ROLL CALL VOTE TAKEN. AYE: POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY, SIGWART. Motion carried unanimously.

**14. RECONVE INTO OPEN SESSION to take action relating to closed session discussion or deliberations, if any. –** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO RECONVENE INTO OPEN SESSION AT 8:01 P.M. ROLL CALL VOTE TAKEN. VOTING AYE: POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY, SIGWART. Motion carried unanimously.

MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO RECOMMEND THE CITY ADMINISTRATOR AND CITY STAFF ENTER INTO NEGOTIATIONS WITH SHAFFER DEVELOPMENT, LLC FOR THE SALE, PURCHASE, AND DEVELOPMENT OF THE CITY'S VACANT LAND LOCATED WEST OF CTH LL AND SOUTH OF STH 33 (I.E., THE FORMER SCHANEN FARM) FOR CONSTRUCTION OF A RESIDENTIAL SUBDIVISION AS DESCRIBED ON THE DEVELOPER'S UPDATED CONCEPT AND SITE PLAN SUBMITTED ON 9/18/2023, UPON THE TERMS AND CONDITIONS DISCUSSED IN THE COMMON COUNCIL'S CLOSED SESSION HELD ON 10/3/2023; AND, FURTHER, THAT: THE CITY ADMINISTRATOR AND CITY STAFF REPORT BACK TO COUNCIL PERIODICALLY [OR BY SPECIFIED DATE] REGARDING THE STATUS OF NEGOTIATIONS. AYE: POSTL, NEUMYER, BENNING, PLEITNER, TEARNEY; NAY: 2 (GASPER, SIGWART). Motion carried.

**15. ADJOURNMENT-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 8:05 P.M. Motion carried unanimously.

Respectfully submitted,  
Susan L. Westerbeke, City Clerk